

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

|                     |   |                                    |
|---------------------|---|------------------------------------|
| ROLAND HAMILTON,    | ) | 3:14-CV-0565-MMD (VPC)             |
|                     | ) |                                    |
| Plaintiff,          | ) | <b><u>MINUTES OF THE COURT</u></b> |
|                     | ) |                                    |
| vs.                 | ) | January 7, 2016                    |
|                     | ) |                                    |
| LISA WALSH, et al., | ) |                                    |
|                     | ) |                                    |
| Defendants.         | ) |                                    |
|                     | ) |                                    |

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Before the court is plaintiff's motion for discovery and certification of good faith effort to resolve case without court involvement (#21). Defendants opposed the motion (#25), no reply was filed.

Plaintiff's motion (#21) is **DENIED**. Plaintiff's discovery requests were untimely served. Plaintiff's "certification of good faith effort to resolve case without court involvement" is an offer of settlement. Pursuant to Fed.R.Civ.P. 37(a)(1) any discovery motion "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court order." Plaintiff's offer of settlement does not constitute an effort to resolve the discovery dispute. Local Rule 26-7(b) states that a discovery motion "will not be considered unless a statement of the movant is attached certifying that, after personal consultation and sincere effort to do so, the parties have been unable to resolve the matter [i.e. the discovery dispute] without court action."

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: \_\_\_\_\_ /s/  
Deputy Clerk